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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,995	04/25/2002	Jean-Pierre Glize	216606US2PCT	6868
22850	7590	10/19/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LE, UYEN CHAU N	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/009,995

Applicant(s)

GLIZE, JEAN-PIERRE

Examiner

Uyen-Chau N. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prelim. Amdt/Amendment

1. Receipt is acknowledged of the Amendment filed 30 July 2004.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 14-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oldenkamp et al (US 4,300,042) in view of Hiratuka et al (US 6,092,798) and Austin et al (US 5,488,223).

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Re claims 14-26, Oldenkamp et al discloses a magnetic program card/ticket 14, which is a configuration ticket for modifying parametric data in a system (col. 4, line 59 through col. 5, line 56).

Oldenkamp et al fails to teach or fairly suggest a man/machine interface device/method for ticket processing.

Hiratuka et al teaches a man/machine interface device/method for ticket processing comprising a magnetic read/write station 13, a thermal printing station 14, control means 30, means 13a for writing on a magnetic stripe of a ticket 4, means 14 for printing on the ticket 4; wherein the read/write station is configured to read contents of the magnetic strip of the ticket [4, 7] inserted into the ticket processing device; wherein the control means 30 comprise storage means 30b for storing the read information (figs. 1-6; col. 3, line 55 through col. 9, line 19).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate a man/machine interface device for ticket processing of Hiratuka et al into the teachings as taught by Oldenkamp in order to provide Oldenkamp with a universal system wherein by using the magnetic program card/ticket, the user/operator can reconfigure any specifying specific configuration parameters for any specific system/machine (e.g., vending machine, ticketing machine, copy machine, printing machine, etc.).

Oldenkamp et al as modified by Hiratuka et al have been discussed above but fail to teach or fairly suggest that the configuration parameters are visibly printed on the configuration ticket.

Austin teaches a user can adjust/reconfigure a printer operating parameters using a command sheet/ticket 136, in which the corresponding data of each encoded configuration

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parameters barcode 140 is visibly printed (e.g., install, increasing speed, decreasing speed, etc.) (fig. 3B; col. 7, lines 23-40).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of Austin et al into the teachings of Oldenkamp et al/Hiratuka et al in order to provide Oldenkamp et al/Hiratuka et al with a more accurate system wherein via the visibly printed information of corresponded information encoded within the magnetic code/barcode, the operator knows exactly which configuration card/ticket is needed/required for adjusting/changing a specific configuration parameters of a specific machine, thus preventing any unnecessary changes, and therefore reducing labors and time.

Response to Arguments

5. Applicant's arguments with respect to claims 14-26 have been considered but are moot in view of the new ground(s) of rejection.

Newly cited references to Austin et al have been used to further meet the newly added limitations of the claims invention.

6. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

7. In response the Applicant's argument to "Oldenkamp is direct to an apparatus for a vending machine.... Oldenkamp is not a ticket processing device..." (p. 10, 4th-5th paragraphs), the examiner respectfully requests the Applicant to review Hiratuka, wherein Hiratuka teaches a

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ticket processing device (see the above rejection). Accordingly, the claimed limitation, given the broadest reasonable interpretation, Oldenkamp in view of Hiratuka and Austin et al meets the claimed invention (see the rejection above).

8. In response the Applicant's argument to "Oldenkamp merely teaches production of a program card but does not teach or suggest how to use such a program card in a ticket processing device" (p. 10, 5th paragraph), the examiner respectfully requests the Applicant to review Oldenkamp, wherein the program/configuration parameters data inherently being encoded into the magnetic stripe of the program card before the card being used for modifying parametric data in a system. Regarding of "how to use...", inserting the configuration/program ticket/card into a system (i.e., copy machine, ticket machine, etc.) to be configured via a magnetic card reader 34 (fig. 1); reading the contents of the magnetic stripe of the ticket/card via a magnetic card reader 34 (fig. 1); the controller 12 stores the read data into memory 30 and configures functioning of the system/device with aid of the stored configuration parameters (col. 4, lines 59-67 and col. 5, lines 7-10). Accordingly, the claimed limitation, given the broadest reasonable interpretation, Oldenkamp in view of Hiratuka and Austin et al meets the claimed invention (see the rejection above).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The patents to Belon et al (EP 631258); Fontal et al (US 5,852,745); Binder (EP 840172); Binder (US 6,031,621); Norden-Paul et al (US 4,878,175); Belon et al (JP 07021332); Austin et

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al (US 5,564,841); Wilz et al (US 5,777,315); Austin (US 5,781,708); Wilz et al (US 6,321,989) are cited as of interest and illustrate a similar structure to a man/machine interface method and device for a ticket processing device comprising a magnetic stripe.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on Mon, Wed. and Fri. 5:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL G LEE can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Uyen-Chau N. Le

October 17, 2004



MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800